

AMENDED IN ASSEMBLY MAY 5, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1482

Introduced by Assembly Member Gordon

(Coauthors: Assembly Members Bloom, Rendon, and Mark Stone)

February 27, 2015

An act to amend Section 75125 of, and to add Part 3.7 (commencing with Section 71150) to Division 34 of, the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

AB 1482, as amended, Gordon. Climate adaptation.

Existing law establishes the Natural Resources Agency, comprised of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources.

Existing law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities.

This bill would require the agency, in coordination with the council, to address the impacts of climate change and climate adaptation by reviewing and coordinating existing grants and programs to maximize specified objectives, including, among others, establishing policy, guidelines, and guidance at the state level to inform planning decisions and ensuring that state investments consider climate change impacts,

as well as promote the use of natural systems, whenever feasible, when developing physical infrastructure to address adaptation.

This bill also would expand the duties of the council to include overseeing and coordinating state agency actions to adapt to climate change and identifying and pursuing opportunities for state agencies to collaborate with federal or local agencies in their climate adaptation efforts.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California's climate is changing, posing an escalated threat
4 to public health, the environment, and public and private property
5 in the state. The increasing frequency of extreme weather events,
6 rising sea levels, and changes in hydrology, including diminishing
7 snowpack, among other climate change impacts, will touch every
8 part of residents' lives in the next century and beyond. Planning
9 appropriately for these impacts will help us be better prepared for
10 the future.

11 (b) The impacts of climate change, including longer droughts,
12 extended floods, prolonged fire seasons with larger and more
13 intense fires, heat waves, and sea level rise, are already creating
14 challenges for public health and safety and causing destructive
15 property damage.

16 (c) Climate changes pose a threat not just to the lives and health
17 of residents but to the financial health of our state and local
18 governments.

19 (d) According to the Natural Resources Agency's report,
20 "Safeguarding California: Reducing Climate Risk," state-of-the-art
21 modeling shows that a single extreme winter storm in California
22 could cost on the order of \$725,000,000,000, including total direct
23 property losses of nearly \$400,000,000,000 and devastating impacts
24 to residents, the economy, and natural resources.

25 (e) Adapting to climate change in addition to reducing the
26 impacts of climate change on California's natural resources and
27 infrastructure is essential to protecting the state's environment and

1 economy over time and will require coordination across all state
2 departments and agencies.

3 (f) Given the potential impacts and the long-term nature of
4 effective planning, California needs to take action now.

5 SEC. 2. Part 3.7 (commencing with Section 71150) is added
6 to Division 34 of the Public Resources Code, to read:

7
8 PART 3.7. CLIMATE CHANGE AND CLIMATE
9 ADAPTATION

10
11 71150. For purposes of this part, the following terms have the
12 following meanings:

13 (a) “Agency” means the Natural Resources Agency.

14 (b) “Council” means the Strategic Growth Council.

15 71152. It is the intent of the Legislature to prioritize the state’s
16 response to the ~~unavoidable~~ impacts resulting from climate change
17 by ensuring all state departments and agencies prepare for and are
18 ready to respond to the impacts of climate change, such as extreme
19 weather events, the urban heat island effect, habitat loss, wildfire,
20 sea-level rise, and drought. It also is the intent of the Legislature
21 that the agency consider developing policies to address the impacts
22 of climate change and climate adaptation with a focus on people,
23 places, and water and that actions taken to address climate
24 adaptation should be consistent with the Safeguarding California
25 Plan.

26 71154. To address the impacts of climate change and climate
27 adaptation, the agency, in coordination with the council, shall
28 review and coordinate existing grants and programs to maximize
29 the following objectives:

30 (a) Educating the public about the consequences of climate
31 change, such as sea-level rise, extreme weather events, the urban
32 heat island effect, habitat loss, wildfire, and drought.

33 (b) Ensuring there is a continued repository for scientific data
34 on climate change and climate adaptation in the state in order to
35 facilitate educated state and local policy decisions.

36 (c) Establishing policy, guidelines, and guidance at the state
37 level to inform planning decisions and ensure that state investments
38 consider climate change impacts, as well as promote the use of
39 natural systems, whenever feasible, when developing physical
40 infrastructure to address adaptation.

1 (d) Encouraging regional collaborative planning efforts to
2 address regional climate change impacts and adaptation strategies.

3 (e) Promoting a water supply, delivery, and capture system that
4 is coordinated and can withstand a multiyear drought scenario.
5 Establishing both drought preparation programs, which will help
6 create sustainable water systems in the future, and immediate
7 drought response programs, which will reduce water demand or
8 increase supply within one to five years of any declared drought.

9 (f) Building resilient communities by developing urban greening
10 projects that reduce air pollution and heat reflection in urban areas
11 and create livable, sustainable communities in urban cores to
12 promote infill development and reduce vehicle miles traveled.

13 (g) Protecting and enhancing habitat and species strongholds
14 that are critical to the preservation of species that are at risk from
15 the consequences of climate change.

16 71156. For the purposes of implementing the objectives of this
17 part, the agency, *to the extent feasible and* in coordination with
18 the council, shall identify and coordinate opportunities among its
19 departments in expending moneys from all of the following:

20 (a) The Greenhouse Gas Reduction Fund, created pursuant to
21 Section 16428.8 of the Government Code.

22 (b) The Water Quality, Supply, and Infrastructure Improvement
23 Act of 2014, approved by the voters as Proposition 1 at the
24 November 4, 2014, statewide general election.

25 (c) Other state funds.

26 71158. The agency, in coordination with the council, shall
27 assess and coordinate across all state departments and agencies to
28 ~~ensure that funding programs maximize~~ *identify opportunities that*
29 *increase* the ability for state and local infrastructure, people, and
30 habitat and wildlife to ~~cope with the consequences~~ *adapt to the*
31 *impacts* of climate change.

32 SEC. 3. Section 75125 of the Public Resources Code is
33 amended to read:

34 75125. The council shall do all of the following:

35 (a) Identify and review activities and funding programs of
36 member state agencies that may be coordinated to improve air and
37 water quality, improve natural resource protection, increase the
38 availability of affordable housing, improve transportation, meet
39 the goals of the California Global Warming Solutions Act of 2006
40 (Division 25.5 (commencing with Section 38500) of the Health

1 and Safety Code), encourage sustainable land use planning, and
2 revitalize urban and community centers in a sustainable manner.
3 At a minimum, the council shall review and comment on the
4 five-year infrastructure plan developed pursuant to Article 2
5 (commencing with Section 13100) of Chapter 2 of Part 3 of
6 Division 3 of Title 2 of the Government Code and the State
7 Environmental Goals and Policy Report developed pursuant to
8 Section 65041 of the Government Code.

9 (b) Recommend policies and investment strategies and priorities
10 to the Governor, the Legislature, and to appropriate state agencies
11 to encourage the development of sustainable communities, such
12 as those communities that promote equity, strengthen the economy,
13 protect the environment, and promote public health and safety,
14 consistent with subdivisions (a) and (c) of Section 75065.

15 (c) Provide, fund, and distribute data and information to local
16 governments and regional agencies that will assist in developing
17 and planning sustainable communities.

18 (d) Manage and award grants and loans to support the planning
19 and development of sustainable communities, pursuant to Sections
20 75127, 75128, and 75129. To implement this subdivision, the
21 council may do all of the following:

22 (1) Develop guidelines for awarding financial assistance,
23 including criteria for eligibility and additional consideration.

24 (2) Develop criteria for determining the amount of financial
25 assistance to be awarded. The council shall award a revolving loan
26 to an applicant for a planning project, unless the council determines
27 that the applicant lacks the fiscal capacity to carry out the project
28 without a grant. The council may establish criteria that would allow
29 the applicant to illustrate an ongoing commitment of financial
30 resources to ensure the completion of the proposed plan or project.

31 (3) Provide for payments of interest on loans made pursuant to
32 this article. The rate of interest shall not exceed the rate earned by
33 the Pooled Money Investment Board.

34 (4) Provide for the time period for repaying a loan made
35 pursuant to this article.

36 (5) Provide for the recovery of funds from an applicant that fails
37 to complete the project for which financial assistance was awarded.
38 The council shall direct the Controller to recover funds by any
39 available means.

40 (6) Provide technical assistance for application preparation.

1 (7) Designate a state agency or department to administer
2 technical and financial assistance programs for the disbursing of
3 grants and loans to support the planning and development of
4 sustainable communities, pursuant to Sections 75127, 75128, and
5 75129.

6 (e) Provide an annual report to the Legislature that shall include,
7 but need not be limited to, all of the following:

8 (1) A list of applicants for financial assistance.

9 (2) Identification of which applications were approved.

10 (3) The amounts awarded for each approved application.

11 (4) The remaining balance of available funds.

12 (5) A report on the proposed or ongoing management of each
13 funded project.

14 (6) Any additional minimum requirements and priorities for a
15 project or plan proposed in a grant or loan application developed
16 and adopted by the council pursuant to subdivision (c) of Section
17 75126.

18 (f) Oversee and coordinate state agency actions to adapt to
19 climate change.

20 (g) Identify and pursue opportunities for state agencies to
21 collaborate with federal or local agencies in their climate adaptation
22 efforts.